

REMARKS

Applicants respectfully request favorable reconsideration of this application.

Claims 6, 7, 14, 22, 23 and 30 have been editorially revised in response to the double patenting objection and written description requirement rejection made by the Office.

Claims 27-29 have been amended to properly depend from Claim 26.

In the outstanding Office Action, Claims 1, 3, 5-10, 12, 14, 16-30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Burbank* in view of *Simard*.

Applicants respectfully request reconsideration and withdrawal of the rejection for the reason that *Burbank* does not qualify as prior art under any section 102 of title 35 U.S.C.

The present application claims priority to at least U.S. Application 09/453,910 filed 02/25/00 which is a divisional of 09/451,238 filed 11/29/99. The reference *Burbank* has a publication date of 05/31/01, a filing date of 11/29/00 and a priority date of 11/29/99. Additionally, reference *Burbank* is not an invention "by other". The current application and the reference *Burbank* have same inventors and are jointly owned.

Accordingly, *Burbank* cannot be applied as prior art against Applicants' invention, and therefore, Applicants respectfully request that the outstanding rejections now be withdrawn and that this application be passed to issue.

Should the Examiner believe that any further action is necessary to place this application in better form for allowance, the Examiner is invited to contact Applicants' representative at the telephone number listed below.

The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 (T4342-14198US17) any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been separately requested, such extension is hereby requested.

Respectfully submitted,

Date: June 25, 2008

Miles & Stockbridge, P.C.
1751 Pinnacle Drive
Suite 500
McLean, Virginia 22102-3833
(703) 903-9000

By: 

Mark A. Catan
Reg. No. 38,720

Otilia Gabor
Reg. No. 60,217